

FILED

Fewer v. Cooper & Brass Sales, Inc., No. 04-56737

JUN 09 2006

REINHARDT, Circuit Judge, concurring:

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

I concur in the majority disposition other than the part relating to judicial estoppel. I would not reach that question but would simply resolve the appeal on the merits.